



TERRITORY OF GUAM  
OFFICE OF THE GOVERNOR  
AGAÑA, GUAM 96910  
U. S. A.  
EXECUTIVE ORDER NO. 96-33

DECLARING A STATE OF EMERGENCY FOR EMERGENCY PROCUREMENT AND FOR EXEMPTION FROM PROHIBITION ON OVERTIME COMPENSATION FOR SUPERVISORY PERSONNEL RELATIVE TO THE PROVISION OF GOODS AND SERVICES BY THE OFFICE OF CIVIL DEFENSE TO THE PUBLIC DURING AND AFTER THE PASSAGE OF TYPHOON DALE, NOVEMBER 7-8, 1996.

**WHEREAS**, Typhoon Dale, a storm about 1,200 miles in diameter and containing sustained winds of approximately 105 mph with gusts to 125 mph, passed 125 miles to the south of Guam at 4:00 a.m. November 8, 1996 after remaining quasi-stationary off the coast of Guam during November 7, 1996; and

**WHEREAS**, Typhoon Dale caused damage of approximately Ten Million Dollars (\$10,000,000) throughout the island, but damage was most especially concentrated in the communities of Talofofo, Inarajan, Merizo, and Umatac, as well as all agricultural and farming areas from Yigo to Merizo; and

**WHEREAS**, preliminary assessment shows that approximately 700 families suffered damage to homes, belongings, or crops due to the typhoon; and

**WHEREAS**, the dedicated and hard-working men and women of the Office of Civil Defense worked round the clock responding to the damages to the island in the aftermath of Typhoon Dale, wherever assigned;

**NOW, THEREFORE, I, CARL T. C. GUTIERREZ**, Governor of Guam, by virtue of the authority vested in me by the Organic Act of Guam, as amended, and the laws of Guam, do hereby order the following:

1) **Declaration of state of emergency.** Whereas the Governor established a state of emergency on Guam by declaring Typhoon Condition I on November 7, 1996, and although Typhoon Condition IV is reestablished, a state of emergency continues relative to the damage from this typhoon.

2) **Emergency procurement and emergency expenses.** Pursuant to §5215 of Title 5, Guam Code Annotated, authorizing emergency procurement upon executive order, the Office of Civil Defense is authorized to utilize emergency procurement procedures for immediate procurement by the Office of Civil Defense to provide goods and services relative to those affected by damage from Typhoon Dale.

3) **Further authorization for emergency procurement unnecessary.** The authorization for the certification, approval, and expenditure of necessary funds pursuant to §5215 of Title 5, Guam Code Annotated and §22402 of Title 5, Guam Code Annotated, shall be this Executive Order, subject only to the exhaustion of identified funds. Any funds not so expended shall revert to the General Fund.

4) **Purpose of emergency procurement and expenditure of funds.** Emergency procurement may be used for procurement of any goods and services provided by the Office of Civil Defense in the provision of goods and services of the Office to the people of Guam during and after the passage of Typhoon Dale on

Office of Civil Defense  
Typhoon Dale emergency  
Executive Order No. 96-33




November 7-9, 1996, and continuing for Thirty (30) days as provided in §5215 of Title 5, Guam Code Annotated.

5) **Exemption from overtime prohibition of Executive Order No. 95-11.** Notwithstanding the provisions of Executive Order No. 95-11, all employees of the Office of Civil Defense who work overtime hours from November 7, 1996 through November 15, 1996 are authorized to receive overtime pay, whether or not their positions are supervisory in nature, or are listed or not listed in the attachment to Executive Order No. 95-11. Overtime hours shall be as authorized by the Director of the Office of Civil Defense.

**SIGNED AND PROMULGATED** at Agana, Guam this 13th day of November, 1996.

  
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**CARL T. C. GUTIERREZ**  
Governor of Guam

**COUNTERSIGNED:**

  
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**MADELEINE Z. BORDALLO**  
Lieutenant Governor of Guam